

**Carlos Hernández**  
Mayor

**Jesus Tundidor**  
President

**Monica Perez**  
Vice President



Council Members  
**Katharine Cue-Fuente**  
**Oscar De la Rosa**  
**Jacqueline Garcia-Roves**  
**Paul B. Hernandez**  
**Carl Zogby**

City Council Meeting  
Minutes  
**August 24, 2021**  
7:00 p.m.

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**1. CALL TO ORDER**

**A. REPORT: Council President Tundidor** called the meeting to order at 7:03 p.m.

**2. ROLL CALL**

**A. REPORT: Marbelys Fatjo**, City Clerk, called the roll with all Council Members present:

1. Council President Tundidor
2. Council Vice President Perez
3. Council Member Cue-Fuente
4. Council Member De la Rosa
5. Council Member Garcia-Roves
6. Council Member Zogby

**B. REPORT: City Clerk, Marbelys Fatjo**, called the roll with the following Council Members absent:

1. Council Member Hernandez

**C. REPORT:**

1. Mayor Carlos Hernandez was present
2. Lorena Bravo, City Attorney, was present.
3. Marbelys Fatjo, City Clerk, was present.

**3. INVOCATION**

**A. REPORT: Marbelys Fatjo**, City Clerk, led the invocation.

**4. PLEDGE OF ALLEGIANCE**

**A. Council Member De la Rosa** led the Pledge of Allegiance.

## 5. MEETING GUIDELINES

*The following guidelines have been established by the City Council:*

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Any person, whether participating via the web platform, telephonic conferencing or physical presence at City Hall, interested in making comments or posing questions on matters of public concern or on any item on the agenda, may do so during the meeting.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.
- The public can view public meetings on the City's Facebook page (@CityofHialeah).
- Members of the public may hear the meeting live through telephonic conferencing using any telephone or cellular phone service. A smart device or computer are not necessary to participate in the meeting if you join by phone.
- All persons participating via the web platform will be muted during the meeting until called upon to be heard. Participation through Zoom requires a computer or smart mobile device with a microphone and web camera. The participant may elect to participate in the meeting using audio only or appear through both audio and video. The video function of all participants appearing through video will be turned off until called upon to be heard.

**REPORT: Marbelys Fatjo, City Clerk, read the meeting guidelines.**

## 6. PRESENTATIONS

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A. Presentation recognizing and honoring the two athletes from the City of Hialeah who attended the Tokyo 2020 Olympics:

- a. (1) Mr. Julio Horrego who participated in the 100m and 200m male breaststroke swimming competition.

**REPORT: Mayor Hernandez presented a proclamation and a key to the City to Mr. Horrego.**

- b. (2) Mr. Ariel Torres who participated in the Team USA KATA Karate Event and won a Bronze Medal making Mr. Torres the first American Medalist in history.

**REPORT: Mayor Hernandez presented a proclamation and a key to the City to Mr. Torres.**

(VICE PRESIDENT PEREZ)  
(ADMINISTRATION)

## **7. COMMENTS AND QUESTIONS**

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- A. **REPORT:** The Office of the City Clerk did not receive any email messages from persons interested in making comments or posing questions on matters of public concern.
- B. **REPORT:** No one expressed interested in making comments or posing questions on matters of public concern registered with the Office of the City Clerk to participate live during the Comments and Questions portion of the meeting using Zoom.
- C. **REPORT:** No one in the meeting via Zoom expressed interest in making comments or posing questions on matters of public concern during this portion of the meeting.
- D. **REPORT:** The following three (3) individuals present in the Council Chambers expressed interest in speaking during this portion of the meeting:
- (1) **Jesus Francisco Lopez-Martinez**, registered speaker, with a home address of **7171 West 3<sup>rd</sup> Court, Hialeah, Florida**, spoke to request a canopy/bus shelter at 7135 West 3<sup>rd</sup> Court, and provided photographs and documentation to the City Council, a copy of which is on file with the Office of the City Clerk.
  - (2) **Jose Azze** with a home address of 788 Southeast Park Drive, Hialeah, Florida, spoke regarding the City's Parks and Recreation Department and its programs.
  - (3) **Eric Johnson, Local 1102**, with a home address which is exempt per state law, thanked Lourdes and Maggie, employees of the Risk Management Department, thanked Annette Quintana for everything she has done for the Fire Department through grants, spoke regarding the passing of Firefighter Chris Villa, and provided a life scan update.

## **8. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA**

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- Consent Item Z has been added to the agenda.
- Administrative Item 10 M has been added to the agenda.

- Additional backup documentation has been added to Administrative Items 10H and 10 L, and the documentation has been placed on the dais for the City Council’s review.
- Additional backup documentation has been added to item PZ 2 and has been placed on the dais for the City Council’s review.

**REPORT: Board Appointment Item 11 A was considered by the City Council out of the order of the agenda as the first order of business.**

## 9. CONSENT AGENDA

*All items listed under Consent Agenda with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.*

**REPORT: Council Member De la Rosa requested separate discussion on Consent Items C, P and Q.**

**REPORT: Motion to Approve the Consent Agenda, except items C, P and Q, made by Council Member Zogby, and seconded by Council Member Cue-Fuente. Motion passes 6-0-1 with Council Member Hernandez absent.**

- A. Request permission to approve the minutes of the City Council Meeting held on August 10, 2021.  
(OFFICE OF THE CITY CLERK)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- B. Request from MD Turbines Inc., located at 3850 West 108<sup>th</sup> Street, Suite 15, for an extension to a Special Events Permit granted by the City Council on July 13, 2021 (Consent Item V) to host a Veteran’s Fundraiser Event on Saturday, November 6, 2021, at 3760 West 108<sup>th</sup> Street, Hialeah, Florida, as approved, to include the setup date of Friday, November 5, 2021.  
(OFFICE OF THE CITY CLERK)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- C. Proposed resolution authorizing a “Piggy Back Agreement” pursuant to Hialeah Code of Ordinances §2-818 and authorizing the City to enter into the agreement with M.T. Causley, LLC., formerly M.T. Causley, LLC, a wholly owned subsidiary of Safebuilt, LLC for plan review, inspection services and planning/zoning development reviews, attached as Exhibit “1”; providing for authorization; and providing for an effective date.  
(BUILDING)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**RESOLUTION NO. 2021-105**

**REPORT: Alexis Riveron, City's Building Official, addressed the City Council via Zoom.**

**REPORT: Motion to Approve the Consent Item C made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Member Hernandez absent.**

- D. Proposed resolution approving a specific appropriation pursuant to Hialeah, Fla. Charter Section 3.08(d) in the amount of \$162,800.00 from unassigned General Fund Balance to Affordable Housing Fund accounts to purchase fire alarm replacement and repairs at 57 units, 32 units and 18 units described in the bid proposal dated July 7, 2021 from G&R Electric, Corporation attached as Exhibit A; and providing an effective date.  
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**RESOLUTION NO. 2021-106**

- E. Request permission to increase Purchase Order No. 2021-490, issued to G. & R. Electric Corp., to cover the cost of pending invoices for emergency city-wide fire alarm repairs, as well as for emergency fire alarm repairs, by an additional amount of \$25,000.00, for a new total cumulative amount not to exceed \$100,000.00. On September 22, 2020, the City Council awarded Hialeah Invitation to Bid No. 2019/20-8500-36-0022 – *Fire Alarm Monitoring, Maintenance and Annual Testing* to this vendor, for a period ending on September 30, 2023.  
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- F. Request permission to reject Hialeah Bid No. 2020/21-3230-00-026 – *O'Quinn Park Recreation Building Re-Roofing (rebid)* because there was only one bid was received and the bid exceeded the approved project budget, and further request permission for the Construction and Maintenance Department to obtain quotes for the project.  
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- G. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has been doing business with the City for the last ten (10) years and is the only company currently conducting the repairs needed, and increase Purchase Order No. 2021-220, issued to Power Truck Repair, Inc., for the repairing of leaf springs, king pins and front ends on fire trucks, water and sewer trucks and heavy equipment, by an additional amount of \$10,000.00, for a new total cumulative amount not to exceed \$25,000.00.  
(FLEET AND MAINTENANCE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- H. Request permission to increase the purchase order issued to Dell Marketing Limited Partnership, to purchase computer equipment for various departments, by an additional amount of \$30,000.00, for a new total cumulative expense amount not to exceed \$130,000.00 to be allocated through various City Departments. On October 13, 2020, the City Council approved issuing a purchase order to this vendor for computer equipment, desktop, laptops, tablets, servers and storage including related peripherals and services, in the amount of \$100,000.00.  
(INFORMATION TECHNOLOGY DEPARTMENT)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- I. Request permission to increase the purchase order issued to Lenovo (United States) Inc, to purchase computer equipment for various city departments, by an additional amount of \$60,000.00, for a new total cumulative expense amount not to exceed \$160,000.00 to be allocated through various City Departments. On October 13, 2020, the City Council approved issuing a purchase order to this vendor for computer equipment, desktop, laptops, tablets, servers and storage including related peripherals and services, in the amount of \$100,000.00. (INFORMATION TECHNOLOGY DEPARTMENT)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- J. Request permission to award Hialeah Invitation to Bid No. 2020/21-8500-36-024 – *Access Control- Keri Systems Installation and Maintenance*, to VCS Tech Systems, LLC, sole source responsive bidder, in a total cumulative amount not to exceed \$40,000.00. (INFORMATION TECHNOLOGY DEPARTMENT)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- K. Request permission to waive the competitive bidding, since it is advantageous to the City, and issue a purchase order to Hazen and Sawyer, P.C., vendor approved by the City Council as a member of the City’s consultant pool in 2010, to continue to provide engineering services associated with the Pump Station Improvement Program, in a total cumulative amount not to exceed \$103,211.00. (DEPARTMENT OF PUBLIC WORKS)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- L. Request permission to increase Purchase Order No. 2021-737, issued to Ferguson Enterprises, LLC, doing business as PollardWater, for the purchase of pipes, valves and materials, including pipe and hydrants, by an additional amount of \$70,000.00, for a new total cumulative amount not to exceed \$265,000.00. On October 13, 2020, the City Council approved Consent Item NN utilizing Collier County Contract No. 17-7176 – *Underground Utility Parts Supplier*, effective through April 2, 2021, to purchase parts and materials from this vendor. (DEPARTMENT OF PUBLIC WORKS)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- M. Request permission to issue a purchase order to Waste Connections of Osceola County, LLC, a sole source non-hazardous special waste landfill permitted to meet or exceed federal design and operating criteria included in Resource Conservation and Recovery Act Regulations, for the testing, hauling and disposal of hazardous special waste from the cleaning of storm drains to their landfill, on an as needed basis, at a rate of \$42.00 per ton, in a total cumulative amount not to exceed \$120,000.00. (STREETS)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- N. Proposed resolution approving the changes to the Civil Service Rules and Regulations of the City of Hialeah, Florida pertaining to Rule VI, Examinations, Entrance, and Promotional, Section 10, (Veteran’s Preference) in order to comply with Chapter 295, Florida Statutes, attached as Exhibit “A”; and providing for effective date. (ADMINISTRATIVE)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**RESOLUTION NO. 2021-107**

- O. Request permission to award Hialeah Invitation to Bid No. 2020/21-3230-00-013– *Fire Administration Elevators Modernization*, to Mowrey Elevator Company of Florida, Inc., lowest responsive responsible bidder, in the amount of \$142,510.00, and further request a ten percent (10%) contingency in the amount of \$14,251.00 to cover the cost of any unforeseen issues that may arise during the work and for the reimbursement of permitting and inspection fees, in a total cumulative expense amount not to exceed \$156,761.00.  
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- P. Proposed resolution accepting a grant award from the Children’s Trust in the amount of \$375,000.00, for Youth Enrichment, Employment and Support Programs, for one-year commencing on August 1, 2021 through July 31, 2022; approving and ratifying a Grant Agreement between the Children’s Trust and the City of Hialeah, a copy of which is attached hereafter and incorporated herein as Exhibit “A”; and further authorizing the Mayor or his designee to execute any and all agreements, documents and subcontracts in furtherance thereof; and providing for an effective date.  
(EDUCATION AND COMMUNITY SERVICES DEPARTMENT)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**RESOLUTION NO. 2021-108**

**REPORT: Sharon Dziejcz of the City’s Education and Community Services Department, addressed the City Council via Zoom.**

**REPORT: Motion to Approve the Consent Item P made by Council Vice President Perez, and seconded by Council Member De la Rosa. Motion passes 6-0-1 with Council Member Hernandez absent.**

- Q. Proposed resolution accepting a grant award from the Children’s Trust in the amount of \$905,998.00, for aftercare and summer camp programs, for one-year commencing on August 1, 2021 through July 31, 2022; approving and ratifying a Grant Agreement between the Children’s Trust and the City of Hialeah for aftercare and summer camp programs, a copy of which is attached hereafter and incorporated herein as Exhibit “A”; and further authorizing the Mayor or his designee to execute any and all agreements, and documents in furtherance thereof; and providing for an effective date.  
(EDUCATION AND COMMUNITY SERVICES DEPARTMENT)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**RESOLUTION NO. 2021-109**

**REPORT: Motion to Approve the Consent Item Q made by Council Member De la Rosa, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Member Hernandez absent.**

- R. Request permission to issue a purchase order to Villamil Contemporary Fine Art, LLC., sole source provider the City has used for the design and production of various flamingo sculptures throughout the City, for the design and production of three (3) flamingo sculptures to be installed as follows: two (2) in front of two entrance features that will soon be constructed along Northwest 97<sup>th</sup> Avenue and 138<sup>th</sup> Street

in the City's annex area and one (1) along Northwest 97<sup>th</sup> Avenue and 170<sup>th</sup> Street, in a total cumulative amount not to exceed \$15,000.00. On June 9, 2020, the City Council approved Resolution No. 2020-070 accepting a donation of \$100,000.00 to the City from DEEM, LLC to be used by the City for the design and installation of two City of Hialeah entrance features.  
(STREETS)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- S. Proposed resolution approving the expenditure in an amount not to exceed \$25,000.00 from the Law Enforcement Trust Fund-*State* for the purchase of K9 Explosives Odor Pursuit (EOP) training which includes handler's course, certification, and maintenance, from Metro Dade K-9 Services, and waiving competitive bidding as it is advantageous to the City, upon such cots having been approved by the Chief of Police, and providing for an effective date.  
(POLICE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**RESOLUTION NO. 2021-110**

- T. Request permission to issue a purchase order to Ramon Pedraza Art Inc, sole source provider the City has used for the design and production of various flamingo sculptures throughout the City, for the design and production of the flamingo sculpture for the second floor lobby of City Hall, in a total cumulative amount not to exceed \$14,000.00.  
(BUILDING)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- U. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Florida Roof-Tech Corp Roofing Done Right Guaranteed, vendor providing the lowest quotation, for a tile roof for the property located at 135 West 52 Street, Hialeah, Florida, through the State Housing Initiatives Partnership (SHIP) Program, in a total amount of \$56,847.00, and further request a ten percent (10%) contingency in the amount of \$5,685.00 to cover any unforeseen issues that may arise during the work, for a total cumulative expense amount not to exceed \$62,532.00. On June 8, 2021, the City Council approved Consent Item D, rejecting Hialeah Bid No. 2020-21-3230-00-016 because no bids were received, and granting the Department of Construction of Maintenance to obtain quotes for the project.  
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)  
(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- V. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to God is Good, Corp., vendor providing the lowest quotation, for painting services required at the new Police Shoot House, Training Facility and Ship Safe Program, in a total cumulative amount not to exceed \$13,250.00.  
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- W. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2021-548, issued to Hunt Incorporated, doing business as Thermo King of Miami, for air conditioner parts and service for City vehicles, by an additional amount of \$15,000.00, for a new total cumulative amount not to exceed \$45,000.



(FLEET AND MAINTENANCE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- X. Request permission to increase Purchase Order No. 2021-782, issued to Miami-Dade County Water and Sewer Department, laboratory at the Preston Plant used by the Department of Public Works for water quality testing, including lead and copper testing and this laboratory is certified on certain water quality tests mandated by the Florida Department of Health, to conduct water quality testing, by an additional amount of \$20,000.00, for a new total cumulative amount not to exceed \$60,000.  
(DEPARTMENT OF PUBLIC WORKS)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- Y. Request permission to ratify the payment issued to Las Americas Multimedia Group LLC, for the City of Hialeah Special Edition 2021 published in the Diario Las Americas, newspaper used by the City for the publication and advertising of various City functions, events and announcement, in a total amount of \$14,000.00.  
(OFFICE OF THE MAYOR)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

- Z. Request from Pierce Promotions and Event Management LLC located at 5000 S Towne Drive, New Berlin, Wisconsin, on behalf of their client TracFone Wireless Inc., for permission to park a branded airstream in front of the TracFone Wireless Inc dealer located at 1942 West 60<sup>th</sup> Street, Hialeah, Florida, on September 3, 2021 for three (3) hours and with Brand Ambassadors on the sidewalk asking consumers to participate in a digital dance game, refreshment cart of popsicles, interior seating, and charging tables available within footprint, subject to recommendations from the Police Department and the Fire Department.

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**10. ADMINISTRATIVE ITEMS**

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- 10 A. Second reading and public hearing of proposed ordinance amending the Code of Ordinances of the City of Hialeah, Chapter 22 entitled "Code Enforcement", Article I. "In General", and in particular, amending Article III. "Enforcement Procedures", Division 3. "Civil Violation Enforcement Procedures", Section 22-190, entitled "Schedule of Civil Penalties" to provide for a civil penalty in the amount of \$250.00 for violations of Section 18-613 of the Code of Ordinances; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date.  
(SPONSOR: COUNCIL PRESIDENT TUNDIDOR)  
(CO-SPONSOR: COUNCIL MEMBER DE LA ROSA)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**ORDINANCE NO. 2021-074**

*On August 10, 2021, the City Council approved the item on first reading. Second reading and public*

hearing was scheduled for August 24, 2021.

On June 22, 2021, the City Council postponed the item until August 10, 2021.

**REPORT:** Council President Tundidor opened the item for public participation and no one present in the Council Chambers or participating via Zoom expressed interest in speaking during this portion of the meeting.

**REPORT: Motion to Approve Item 10 A made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Member Hernandez absent.**

- 10 B.** Second reading and public hearing of proposed ordinance amending Chapter 98 entitled “Zoning”, Article V. entitled “Zoning District Regulations”, Division 35 Alwod Artist Live/Work Overlay District, Section 98-1630.17 Definitions, and Section 98-1630.21 Artist Studio Regulations to provide for Art Gallery as a permitted use of the Code of Ordinances of the City of Hialeah; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for severability; providing for an effective date.

(ZONING)

(CO-SPONSOR COUNCIL MEMBER HERNANDEZ)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**ORDINANCE NO. 2021-075**

On August 10, 2021, the City Council approved the item on first reading. Second reading and public hearing was scheduled for August 24, 2021.

**REPORT:** Council President Tundidor opened the item for public participation and no one present in the Council Chambers or participating via Zoom expressed interest in speaking during this portion of the meeting.

**REPORT: Motion to Approve Item 10 B made by Council Member Zogby, and seconded by Council Member Cue-Fuente. Motion passes 6-0-1 with Council Member Hernandez absent.**

- 10 C.** Second reading and public hearing of proposed ordinance accepting the dedication of approximately 2,299 square feet of land abutting NW 102 Avenue to City of Hialeah for right-of-way purposes from FDG Countyline LLC, a Delaware Limited Liability Company pursuant to the Right-of-Way Deed attached hereto and made a part hereof as Exhibit “A”; and providing for an effective date.

(ADMINISTRATION)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**ORDINANCE NO. 2021-076**

On August 10, 2021, the City Council approved the item on first reading. Second reading and public hearing was scheduled for August 24, 2021.

**REPORT:** Council President Tundidor opened the item for public participation and no one present in the Council Chambers or participating via Zoom expressed interest in speaking during this portion of the meeting.

**REPORT: Motion to Approve Item 10 C made by Council Member Zogby, and seconded by Council Member Cue-Fuente. Motion passes 6-0-1 with Council Member Hernandez absent.**

- 10 D.** Second reading and public hearing of proposed ordinance accepting the dedication of approximately 8,905 square feet of land abutting NW 102 Avenue to City of Hialeah for right-of-way purposes from FDG BN Expansion LLC, a Delaware Limited Liability Company pursuant to the Right-of-Way Deed attached hereto and made a part hereof as Exhibit "A"; and providing for an effective date.  
(STREETS)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**ORDINANCE NO. 2021-077**

*On August 10, 2021, the City Council approved the item on first reading. Second reading and public hearing was scheduled for August 24, 2021.*

**REPORT:** Council President Tundidor opened the item for public participation and no one present in the Council Chambers or participating via Zoom expressed interest in speaking during this portion of the meeting.

**REPORT: Motion to Approve Item 10 D made by Council Member Zogby, and seconded by Council Member Cue-Fuente. Motion passes 6-0-1 with Council Member Hernandez absent.**

- 10 E.** First reading of proposed ordinance amending Chapter 98 entitled "Zoning", Article III. "Plans and Plats", Division 3. Subdivision Plats; creating Section 98-350 "Subdivision by Waiver of Plat for HPD Hialeah Park District", of the Code of Ordinances of the City of Hialeah, by adding waiver of plat requirements, procedures, and review criteria for the HPD Hialeah Park District; providing that such exception is subject to the subdivision provisions of Chapter 28 of the Miami-Dade County Code; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; providing for inclusion in the code; and providing for an effective date.  
(ZONING)

**APPROVED 4-2-1 with Council Vice President Perez and Council Member Garcia-Roves voting "NO" and Council Member Hernandez absent.**

*On August 10, 2021, the City Council postponed the item until August 24, 2021.*

**REPORT: Motion to Approve Item 10 E made by Council Member Zogby, and seconded by Council Member Cue-Fuente. Motion passes 4-2-1 with Council Vice President Perez and Council Member Garcia-Roves voting "NO" and Council Member Hernandez absent.**

**REPORT: Debora Storch, City's Planning Official,** addressed the City Council on this item.

**REPORT: Hugo Arza, with law offices located at 701 Brickell Avenue,** addressed the City Council after being duly sworn-in.

- 10 F.** First reading of proposed ordinance amending Chapter 98 entitled "Zoning", Article V. "Zoning District Regulations", Division 34. "HPD Hialeah Park District"; amending Section 98-1630.10 - "Purpose", Section 98-1630.11 - "Geographic Area", Section 98-1630.13 - "Permitted Uses, Limitations and Prohibitions", Section 98-1630.15 - "Site Development Plan Approval; and creating Section 98-1630.16

- "Hialeah Park District - Phase I Development Standards"; hereby approving the Pattern Book entitled "The Residences at Hialeah Park", as prepared by Civica Architecture and Albert O. Gonzalez Architect, P.A., and dated July 2021, which shall be on file with the City Clerk; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; providing for inclusion in the code; and providing for an effective date.

(ZONING)

**APPROVED 5-1-1 with Council Vice President Perez voting "NO" and Council Member Hernandez absent.**

*On August 10, 2021, the City Council postponed the item until August 24, 2021.*

**REPORT: Hugo Arza, with law offices located at 701 Brickell Avenue, addressed the City Council with a presentation, which is on file with the Office of the City Clerk.**

**REPORT: Motion to Approve Item 10 F made by Council Member Zogby, and seconded by Council Member Cue-Fuente. Motion passes 5-1-1 with Council Vice President Perez voting "NO" and Council Member Hernandez absent.**

- 10 G.** First reading of proposed ordinance amending Chapter 78 (entitled "Solid Waste") of the Code of Ordinances; amending Section 78-158 (entitled "Abandoned Collection Containers; Impoundment") to clarify that roll-off containers do not need to have a lid or cover; amending Section 78-161 in Article VI (entitled "Collection Services by Private Collectors Authorized through Non-Exclusive Franchises") to clarify a franchisee's obligation to allow the copying of its financial records during an audit by the City; amending Section 78-164 in Article VI to clarify that certain restrictions on the days and hours of waste collection only apply within 300 feet of residential properties; amending Article VII (entitled "Roll-Off Container Regulations") to clarify the requirements applicable to the collection of recovered materials and to conform with state law; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violations hereof; providing for inclusion in code; providing a severability clause; and providing for an effective date.

(ADMINISTRATION)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**REPORT: Motion to Approve Item 10 G made by Council Member Zogby, and seconded by Council Member Cue-Fuente. Motion passes 6-0-1 with Council Member Hernandez absent.**

**REPORT: Second reading and public hearing is scheduled for September 14, 2021.**

- 10 H.** First reading of proposed ordinance authorizing the sale of real property located at 2540 Palm Avenue, Hialeah, Florida, identified by folio number 04-3107-004-0110; approving the terms of the Vacant Land Contract with J & Y Investment, Corp. and the City of Hialeah, attached hereto as Exhibit "1"; accepting the offer price of \$276,596.00 and all other offer terms; authorizing the Mayor, and the City Clerk, as attesting witness, on behalf of the City to execute the contract, Special Warranty Deed, seller's affidavits, closing statements and such other customary documents, in a form acceptable to the City Attorney, as are necessary to close the sale; approving payment for professional legal services rendered by Gardner, Bist, Bowden, Dee, Lavia, Wright, Perry & Harper, P.A. in connection with the sale in an amount not to exceed \$10,000.00 and all other closing costs as provided by the terms of the contract from the proceeds of sale; repealing all ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.

(ADMINISTRATION)

**APPROVED 5-0-2 with Council Member Hernandez absent and Council Vice President Perez away during the roll call for a vote.**

**REPORT: Motion to Approve Item 10 H made by Council Member Cue-Fuente, and seconded by Council Member Zogby. Motion passes 5-0-2 with Council Member Hernandez absent and Council Vice President Perez away during the roll call for a vote. Council Vice President Perez recorded her vote as “YES” after the Motion to Approve passed.**

**REPORT: Second reading and public hearing is scheduled for September 14, 2021.**

- 10 I.** First reading of proposed ordinance approving a Final Plat of Excellent New Homes Hialeah; accepting all dedication of avenues, streets, roads or other public ways, together with all existing and future planting of trees; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **Property located at 715 East 56 Street, Hialeah, Florida.**  
(ZONING)

**APPROVED 5-0-2 with Council Member Hernandez absent and Council Vice President Perez away during the roll call for a vote.**

**REPORT: Motion to Approve Item 10 I made by Council Member Cue-Fuente, and seconded by Council Member De la Rosa. Motion passes 5-0-2 with Council Member Hernandez absent and Council Vice President Perez away during the roll call for a vote. Council Vice President Perez recorded her vote as “YES” after the Motion to Approve passed.**

**REPORT: Second reading and public hearing is scheduled for September 14, 2021.**

- 10 J.** First reading of proposed ordinance authorizing and providing for the issuance of a Taxable Refunding Revenue Note, Series 2021 in an amount not to exceed \$29,000,000 for the purpose of refunding certain outstanding obligations; approving the selection of Truist Bank, formerly known as Branch Banking & Trust Company (BB&T), N.A., as the responsive and responsible lender offering the lowest cost financing proposal pursuant to Request for Proposal No. 2020-2021-8500-00-005; authorizing all other actions necessary to the consummation of the transaction contemplated by this ordinance; authorizing certain City officials to execute such note and all necessary documents on behalf of the City; repealing for a severability clause; and providing an effective date.  
(ADMINISTRATION)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**REPORT: Ines Beecher, City’s Director of the Office of Management and Budget, addressed the City Council via Zoom.**

**REPORT: Motion to Approve Item 10 J made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Member Hernandez absent.**

**REPORT: Second reading and public hearing is scheduled for September 14, 2021.**

- 10 K.** Proposed resolution adopting the Emergency Preparedness and Response Policy on removal of disaster debris from private residential communities, attached hereto and made a part hereof as “Exhibit A”; providing for inclusion in the City of Hialeah, Florida Comprehensive Emergency Management Plan

adopted by Hialeah, Fla. Resolution No. 2019-080 (June 25, 2019); repealing all conflicts herewith; providing for a severability clause; and providing for an effective date.  
(DEPARTMENT OF EMERGENCY MANAGEMENT)

**APPROVED 5-0-2 with Council Member Hernandez absent and Council President Tundidor away during the roll call for a vote.**

**RESOLUTION NO. 2021-111**

**REPORT: Motion to Approve Item 10 K made by Council Member Zogby, and seconded by Council Member De la Rosa. Motion passes 5-0-2 with Council Member Hernandez absent and Council President Tundidor away during the roll call for a vote. Council President Tundidor recorded his vote as “YES” after the Motion to Approve passed.**

- 10 L.** Proposed resolution authorizing a “Piggyback Contract” pursuant to Hialeah Code of Ordinances §2-818 and approving, pursuant to Section §489.145 Florida Statutes, a Guaranteed Energy Performance Savings Master Agreement, including all terms and conditions and schedules, with FPL Services, LLC, in substantial form and attached as Exhibit “1”, providing for FPL Services, LLC to improve not more than \$15,000,000.00 in energy conservation measures within the City of Hialeah; approving the investment grade audit price of \$242,369.00; and authorizing the Mayor or his designee to pursue and negotiate a third party financing agreement and any related financing arrangements (the “financing”) to fund the installation and implementation of the recommended energy control measures identified in the investment grade audit; and authorizing the Mayor and the City Clerk, as attesting witness, to execute the Master Agreement and related schedules, including authorization to conduct the investment grade audit; and authorizing the Mayor and the City Clerk, on behalf of the City, to execute any and all documents in connection with a financing application to implement all provisions contained therein to fund energy savings improvements; providing for severability and providing for an effective date.  
(ADMINISTRATION)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**RESOLUTION NO. 2021-112**

**REPORT: Mayor Hernandez spoke on this item.**

**REPORT: Ines Beecher, City’s Director of the Office of Management and Budget, addressed the City Council on this item via Zoom.**

**REPORT: Hillah Mendez, Esq., outside counsel for the City of Hialeah, addressed the City Council.**

**REPORT: Alex Acosta with FPL Services, addressed the City Council with a presentation, which is on file at the Office of the City Clerk.**

**REPORT: Motion to Approve Item 10 L made by Council Member Cue-Fuente, and seconded by Council Member De la Rosa. Motion passes 6-0-1 with Council Member Hernandez absent.**

- 10 M.** Proposed resolution authorizing the expenditure of an amount not exceeding \$2,184,000.00 of Coronavirus State and Local Fiscal Recovery Funds to award premium pay in the form of a one-time, lump-sum payment in an amount not exceeding \$2,000.00 to each eligible City employee pursuant to the American Rescue Plan Act of 2021, in recognition of the essential work performed by each during the COVID-19 public health emergency; and providing for an effective date.  
(ADMINISTRATION)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**RESOLUTION NO. 2021-113**

**REPORT: Mayor Hernandez spoke on this item.**

**REPORT: Motion to Approve Item 10 M made by Council Member Cue-Fuente, and seconded by Council Member De la Rosa. Motion passes 6-0-1 with Council Member Hernandez absent.**

## **11. BOARD APPOINTMENTS**

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- 11 A.** Proposed resolution appointing **Lee Michael Morrison** as a member of the Planning and Zoning Board for the remainder of a two (2)-year term ending on June 28, 2022.  
(COUNCIL VICE PRESIDENT PEREZ)

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**RESOLUTION NO. 2021-114**

**REPORT: Lee Michael Morrison, with a home address of 5074 East 1<sup>st</sup> Avenue, addressed the City Council.**

**REPORT: Motion to Approve Item 11 A made by Council Member Cue-Fuente, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Member Hernandez absent.**

## **12. UNFINISHED BUSINESS**

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- A.** Council President Tundidor spoke regarding the fire trailer in the annex area.

## **13. NEW BUSINESS**

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- A.** Report to the City Council of financial disclosure submittals for the year ending in 2020, pursuant to Section 26-36(d) of the Hialeah City Code.  
(OFFICE OF THE CITY CLERK)

## **14. ZONING**

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### **PLANNING AND ZONING**

- PZ 1.** Second reading and public hearing of proposed ordinance granting a Conditional Use Permit (CUP) to allow a K-12 Charter School with a maximum capacity of 2,950 students pursuant to Hialeah Code of

Ordinances § 98-181; **Property generally located at the southwest corner of East 32 Street and East 4 Avenue, Hialeah zoned HPD (Hialeah Park District).** Repealing all ordinances of parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**ORDINANCE NO. 2021-078**

<i>On August 10, 2021, the item was postponed until August 24, 202, per the applicant's request.</i>
<i>The item was approved on first reading by the City Council on July 13, 2021. Second reading and public hearing was scheduled for August 10, 2021.</i>
<i>Registered Lobbyist: Javier L. Vazquez, 1450 Brickell Avenue, Suite 1900, Miami, Florida, 33131, on behalf of Mater Academy Inc.</i>
<i>On June 23, 2021, the Planning and Zoning Board recommended approval of this item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Bal Bay Realty LTD, 2200 East 4 Avenue, Hialeah, Florida 33013</i>

**REPORT:** Council President Tundidor opened the item for public participation and one person present in the Council Chambers expressed interest in speaking during this portion of the meeting:

- (1) **Milly Herrera, 4341 East 8 Lane**, addressed the City Council in opposition to the approval of this item.

**REPORT: Javier Vazquez, 1450 Brickell Avenue**, addressed the City Council with a presentation, after being duly sworn in. Said presentation is on file at the Office of the City Clerk.

**REPORT: Rolando Llanes, architect and President of Civica, 8323 Northwest 12 Street**, addressed the City Council on behalf of the applicant.

**REPORT: Motion to Approve Item PZ 1 made by Council Member De la Rosa, and seconded by Council Member Zogby. Motion passes 6-0-1 with Council Member Hernandez absent.**

**PZ 2.** Second reading and public hearing of proposed ordinance rezoning properties located at 821 and 831 SE 8 Avenue from R-1 (One-Family District) to B-1 (Highly Restricted Retail District) and property located at 820 SE 8 Court from R-1 (One-Family District) to P (Parking); granting a variance permit to allow a mixed development with 100% of the units having an area of approximately 650 square feet, where only 10% of the units may have an area of less than 850 square feet; allow interior south side setback of 0 feet and 5 feet interior rear setback, where 15 feet setback is required on property lines abutting low density residential; allow 40 parking spaces, where 70 are required and allow 15% pervious area, where 30% is required. **Properties located at 821 and 831 SE 8 Avenue and 820 SE 8 Court, Hialeah, zoned R-1 (One-Family District).**; all contra to Hialeah Code of Ordinances §§ 98-1630.2, 98-1630.3(e)(2), 98-2189(16)a. and 98-2056(b)(1). Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.



**POSTPONED UNTIL SEPTEMBER 14, 2021.**

<i>On August 10, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for August 24, 2021.</i>
<i>On July 13, 2021, the item was postponed until August 10, 2021.</i>
<i>Registered Lobbyists: Hugo P. Arza, Esq. and Alejandro J. Arias, Esq., Holland &amp; Knight, LLP, 701 Brickell Avenue, Suite 3300, Miami, Florida 33131 on behalf of SJM Hialeah 8<sup>th</sup> Avenue, LLC.</i>
<i>On May 12, 2021, the Planning and Zoning Board recommended approval of this item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Victor &amp; Yarelys Marquez, 821 SE 8<sup>th</sup> Avenue, 831 SE 8<sup>th</sup> Avenue &amp; 820 SE 8<sup>th</sup> Court, Hialeah, Florida.</i>

**REPORT:** Council President Tundidor opened the item for public participation and one person present in the Council Chambers expressed interest in speaking during this portion of the meeting:

**REPORT: Hugo Arza, with law offices at 701 Brickell Avenue,** addressed the City Council on behalf of the applicant, and requested that the item be tabled until September 14, 2021.

- (1) **Robert Guanter of M&M, 794 Southeast 8<sup>th</sup> Street,** addressed the City Council in favor to the approval of this item.
- (2) **Fernando Oramas, owner of Vicky Bakery, 860 Southeast 8<sup>th</sup> Street,** addressed the City Council in favor of the project, except for the parking proposal.
- (3) **Carlos Martinez, with a home address of 841 Southeast 8<sup>th</sup> Court,** addressed the City Council in opposition to the approval of this item.
- (4) **Jose Azze, with a home address of 788 Southeast Park Drive,** addressed the City Council in opposition to the approval of this item.
- (5) **Candy Hertsch, 830 Southeast 8<sup>th</sup> Court,** addressed the City Council in opposition to the approval of this item.

**REPORT: Motion to Table Item PZ 2 until September 14, 2021 made by Council Member De la Rosa, and seconded by Council Member Zogby. Motion passes 6-0-1 with Council Member Hernandez absent.**

**PZ 3.** First reading of proposed ordinance rezoning property from R-1 (One Family District) to P (Parking District); and granting a variance permit to allow 70 parking spaces, where 136 parking spaces are required for an existing church and school; allow 7% pervious area, where 30% is required; and variance permit to partially waive landscape manual requirement of providing the landscape island every 10 parking spaces; all contra to Hialeah Code of Ordinances §§ 98-2189 (4)i, 98-2056(b)(1) and City of Hialeah Landscape Manual dated July 9, 2015 ¶(D)(8) and as provided in § 98-2233. **Property located at 660 East 41 Street, Hialeah, zoned R-1 (One-Family District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability

clause; and providing for an effective date.

**APPROVED 6-0-1 with Council Member Hernandez absent.**

<i>Registered Lobbyist: Frank De la Paz, 9361 Bird Road, Miami, Florida 33165, on behalf of Iglesia Evangelica Luterana Jesus Rey de Gloria Corp.</i>
<i>On August 11, 2021, the Planning and Zoning Board recommended approval of this item subject to a Declaration of Restrictions (DOR) and Unity of Title.</i>
<i>Planner's Recommendation: Approval subject to Declaration of Restrictions (DOR) and Unity of Title.</i>
<i>Property Owner: Remedios Cruz, 5050 NW 7<sup>th</sup> Street, Apt 104, Miami, Florida 33126 Sandra Pardo Hernandez, 1309 SW 154 Court, Miami Florida 33194 Noelia Gomez, 9947 NW 123 Street, Hialeah Gardens, Florida 33018 Sandra Lucia Mohguia Viva, 3006 SW 24 Avenue, Miami, Florida 33145.</i>

**REPORT: Motion to Approve Item PZ 3 made by Council Member Cue-Fuente, and seconded by Council Member Zogby. Motion passes 6-0-1 with Council Member Hernandez absent.**

**REPORT: Second reading and public hearing is scheduled for September 14, 2021.**

**PZ 4.** First reading of proposed ordinance granting a variance permit to allow a secondhand (merchandise) dealer and precious metal dealer located at a distance of 1,110 feet from another secondhand (merchandise) dealer and precious metal dealer, where a distance of 2,500 feet is required; allow 9 parking spaces, where 12 parking spaces are required and allow reduced landscape buffers of 3 feet, 4 feet and 5 feet, where 7 feet is the minimum required; all contra to Hialeah Code of Ordinances §§ 98-1111(21) and 98-2189(7) and City of Hialeah Landscape manual dated July 9, 2015 ¶ (D)(7). **Property located at 3190 Palm Avenue, Hialeah, zoned C-2 (Liberal Retail Commercial District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 6-0-1 with Council Member Hernandez absent.**

<i>Registered Lobbyist: Manny Reus, Architect, 18501 Pines Blvd, Pembroke Pines, Florida 33029, on behalf of Chaled XXII, LLC</i>
<i>On August 11, 2021, the Planning and Zoning Board recommended approval of this item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Chaled XXII, LLC./ La Estrella De Oro Joyeria #3 Corp., 5000 West 12<sup>th</sup> Avenue, Hialeah, Florida 33012.</i>

**REPORT: Motion to Approve Item PZ 4 made by Council Member Cue-Fuente, and seconded by Council Member Zogby. Motion passes 6-0-1 with Council Member Hernandez absent.**

**REPORT: Second reading and public hearing is scheduled for September 14, 2021.**

**PZ 5.** First reading of proposed ordinance granting a variance permit to allow total lot coverage of 37.1% where 30% is the maximum allowed; contra to Hialeah Code of Ordinances §§ 98-2056(b)(2). **Property located at 2474 West 4 Court, Hialeah, zoned R-2 (One-and Two-Family Residential District);** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 6-0-1 with Council Member Hernandez absent.**

<i>On August 11, 2021, the Planning and Zoning Board recommended approval of this item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Fernando Rodriguez, 90 West 61 Street, Hialeah, Florida 33012.</i>

**REPORT: Debora Storch, the City's Planning Official,** addressed the City Council via Zoom.

**REPORT: Motion to Approve Item PZ 5 made by Council Member Cue-Fuente, and seconded by Council Member De la Rosa. Motion passes 6-0-1 with Council Member Hernandez absent.**

**REPORT: Second reading and public hearing is scheduled for September 14, 2021.**

**PZ 6.** First reading of proposed ordinance granting a variance permit to allow a Temporary Waiver of Plat provided that the property will be platted within 18 months of the approval of this ordinance. **Property located at 11250 West 36 Avenue, Hialeah, zoned BDH (Business Development District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 6-0-1 with Council Member Hernandez absent.**

<i>Registered Lobbyists: Hugo P. Arza, Esq. and Alejandro J. Arias, Esq., Holland &amp; Knight, LLP, 701 Brickell Avenue, Suite 3300, Miami, Florida 33131 on behalf of Butters Acquisitions, LLC.</i>
<i>On August 11, 2021, the Planning and Zoning Board recommended approval of this item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Jose Martinez and Alicia Martinez, 2700 SW 130 Avenue, Miami, Florida 33175.</i>

**REPORT: Motion to Approve Item PZ 6 made by Council Member De la Rosa, and seconded by Council Member Cue-Fuente. Motion passes 6-0-1 with Council Member Hernandez absent.**

**REPORT: Second reading and public hearing is scheduled for September 14, 2021.**

**PZ 7.** First reading of proposed ordinance granting a Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances § 98-181 to allow a flight academy including 20 flight simulators with maximum capacity of 60 pilots, including instructors within a 67,654 square feet bay, and variance permit to allow 82 parking spaces, where 339 parking spaces are required; contra to Hialeah Code of Ordinances § 98-2189(9). **Property located at 1125 SE 8 Street, Hialeah, zoned M-1 (Industrial District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 6-0-1 with Council Member Hernandez absent.**

*Registered Lobbyists: Hugo P. Arza, Esq. and Alejandro J. Arias, Esq., Holland & Knight, LLP, 701 Brickell Avenue, Suite 3300, Miami, Florida 33131 on behalf of Pam Am Flight Academy, Inc.*

*On August 11, 2021, the Planning and Zoning Board recommended approval of this item with the condition that that the variance to allow 82 parking spaces, where 339 are required is only allowed for the proposed use and will be voided automatically if the flight academy use is discontinued.*

*Planner's Recommendation: Approval with conditions.*

*Property Owner: Lincoln GP Advisory Group, Inc., 1125 SE 8<sup>th</sup> Street, Hialeah, Florida.*

**REPORT: Motion to Approve Item PZ 7 made by Council Member De la Rosa, and seconded by Council Vice President Perez. Motion passes 6-0-1 with Council Member Hernandez absent.**

**REPORT: Second reading and public hearing is scheduled for September 14, 2021.**

**15. LAND USE**

- LU 1. Proposed resolution of the Mayor and the City Council of the City of Hialeah, Florida expressing its intent to approve the modification of the Declaration of Restrictions proffered in connection with an application for a text amendment to Policy 1.1.1 – of the City of Hialeah Future Land Use Element of the City of Hialeah Comprehensive Plan, as recorded on August 23, 2018, in Official Records Book 31111, Page 3042 of the Public Records of Miami-Dade County, Florida; amending Provision No. 3 – “Conceptual Site Plan”, and Exhibits “A” and “B”, as referenced therein.

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**RESOLUTION NO. 2021-113**

*On August 10, 2021, the item was postponed due to that the item required five (5) votes from the City Council and only four City Council Members were present. The item was rescheduled for August 24, 2021.*

**REPORT:** Council President Tundidor opened the item for public participation and no one present in the Council Chambers or participating via Zoom expressed interest in speaking during this portion of the meeting.

**REPORT: Motion to Approve Item LU 1 made by Council Member Cue-Fuente, and seconded by Council Member Zogby. Motion passes 6-0-1 with Council Member Hernandez absent.**

- LU 2. Proposed resolution of the Mayor and the City Council of the City of Hialeah, Florida expressing its intent to approve and adopt a Text Amendment to the City of Hialeah 2015-2025 Comprehensive Plan to incorporate a new element; Objective 1.1., Policy 1.1.1 through 1.1.4; and providing for an effective date.

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**RESOLUTION NO. 2021-114**

**REPORT:** Council President Tundidor opened the item for public participation and no one present in the Council Chambers or participating via Zoom expressed interest in speaking during this portion of the meeting.

**REPORT: Debora Storch, the City's Planning Official,** addressed the City Council via Zoom.

**REPORT: Motion to Approve Item LU 2 made by Council Member De la Rosa, and seconded by Council Member Cue-Fuente. Motion passes 6-0-1 with Council Member Hernandez absent.**

- LU 3.** First reading of proposed ordinance adopting a Text Amendment to the Industrial Land Use Classification in Future Land Use Element of the Hialeah, Fla., Comprehensive Plan allowing Multifamily Residential uses subject to Conditional Use Permit on properties with Industrial Land Use Classification that are located within a quarter mile of properties with Mixed Use Hialeah Heights land Use Classification; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 6-0-1 with Council Member Hernandez absent.**

**REPORT: Motion to Approve Item LU 3 made by Council Member De la Rosa, and seconded by Council Member Zogby. Motion passes 6-0-1 with Council Member Hernandez absent.**

**REPORT: Second reading and public hearing is scheduled for September 14, 2021.**

**REPORT: Council President Tundidor adjourned the meeting at 12:00 a.m.**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, September 28, 2021 at 6:30 p.m.**

**NEXT CITY COUNCIL MEETING: Tuesday, September 14, 2021 at 7:00 p.m.**

**FIRST BUDGET HEARING: Wednesday, September 15, 2021 at 7:00 p.m.**

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3<sup>rd</sup> Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does

not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than two (2) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).